

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

A.O.A., et al.,

Plaintiffs,

V.

IRA L. RENNERT, et al.,

Defendants.

Case No. 4:11 CV 44 CDP

MEMORANDUM AND ORDER

On November 17, 2023, defendants Doe Run Resources Corporation and The Renco Group, Inc., moved for “limited relief” from a protective order entered in this action by agreement of the parties in November 2017. Specifically, defendants ask that I suspend provisions of the protective order so that they may provide to Peruvian prosecutors certain protected documents and information they received from plaintiffs during the course of discovery in this case, which defendants aver are responsive to a Peruvian subpoena served on them on November 7. Plaintiffs move to strike defendants’ motion and its accompanying exhibits, asserting that the information contained therein should be sealed in accordance with previous Court Orders. Plaintiffs have also filed a memorandum in opposition to defendants’ motion in substance, however, and seek leave to file their opposition under seal. Defendants oppose plaintiffs’ Motions to Strike and to

Seal, and they have filed a reply in support of their Motion for Limited Relief.

Upon careful consideration of the motions and the parties' respective positions, I will deny plaintiffs' Motion to Strike but will order the Clerk to place under seal the exhibits attached to defendants' Motion for Limited Relief as they contain personal and identifying information of individuals who appear to be non-targets of a criminal investigation, identifying information of persons who appear to be targets of a criminal investigation, and information as to the nature and stage of a criminal investigation in Peru. *See* Memo. & Order, ECF 1366 ("Article 324 of Peru's Code of Criminal Procedure . . . provides that preliminary/preparatory criminal investigations are confidential."); Memo. & Order, ECF 1353 (information regarding ongoing investigations and unindicted conduct appropriately sealed). I am aware that other courts may treat such information differently, but I am not bound by their determination on this matter of discretion.

I will deny plaintiffs' Motion to Seal their memorandum in opposition to defendants' Motion for Limited Relief as it does not contain any confidential information subject to my previous rulings.


Defendants' Motion for Limited Relief from Protective Order remains under submission.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' Motion to Strike Defendants'

Motion for Limited Relief from Protective Order [1391] is **DENIED**. The Clerk of Court shall immediately place under seal, however, the exhibits attached to defendants' Motion for Limited Relief – ECF 1390-1, 1390-2, and 1390-3.

IT IS FURTHER ORDERED that plaintiffs' Motion for Leave to File Under Seal [1392] is **DENIED**.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 6th day of December, 2023.